

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Consent Order — County Road 419 Improvements (Phases I and II)  
St. Johns River Water Management District  
Permit Nos. 4-117-22268-2 and 4-117-22268-3

**DEPARTMENT:** PUBLIC WORKS      **DIVISION:** ENGINEERING

**AUTHORIZED BY:** W. Gary Johnson by ph      **CONTACT:** Jeffy McCollum, P.E. EXT. 5651  
W. Gary Johnson, P.E., Director

<b>Agenda Date</b> <u>08-26-03</u> Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/> Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>
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**MOTION/RECOMMENDATION:**

Approve and authorize the Chairman to execute the Consent Order negotiated in conjunction with St. Johns River Water Management District Permit Nos. 4-117-22268-2 and 4-117-22268-3 for the County Road 419, Phases 1 and II, Project.

**BACKGROUND:**

Over a two year period, representatives from the County, the roadway contractor and the St. Johns River Water Management District (SJRWMD) have met regarding water management permit violations that have occurred during the construction of County Road 419, Phases I and II. Although the contractor's work performance created the violations, the referenced permits were issued to the County and, therefore, the County must enter into this consent order with the SJRWMD. County staff has negotiated various aspects of the violations within the consent order and, in our opinion, the fines assessed are fair and equitable based on the circumstances. As discussed with the contractor's representatives, the fines associated with this consent order totaling \$42,151.91 will be deducted from their contract payments. In addition, costs associated with the minor amount of remedial plantings required in the Consent Order will be borne by the contractor.

(Districts 1 & 2 - Commissioner Maloy / Commissioner Morris)

Reviewed by:
Co Atty: <u>[Signature]</u>
DFS: _____
Other: _____
DCM: <u>[Signature]</u>
CM: <u>[Signature]</u>
File No. <u>CPWE01</u>

Attachment: Consent Order

**ST. JOHNS RIVER WATER MANAGEMENT DISTRICT**

IN RE:

CR 419 Improvements (Phases I and II)  
Seminole County Public Works  
ATTN: Mr. Gary Johnson  
520 W Lake Mary Blvd, Ste 200  
Sanford, FL 32773

FILE OF RECORD NO. 2003-36

Permit Number 4-117-22268-2 and  
Permit Number 4-117-22268-3

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**CONSENT ORDER**

THIS CONSENT ORDER is entered into between Seminole County Public Works ("Respondent") and the St. Johns River Water Management District ("District") to settle certain matters at issue between them under Chapter 373, Florida Statutes (F.S.), and Chapters 40C-4 and 40C-42, Florida Administrative Code (F.A.C.).

**FINDINGS OF FACT**

1. The District, a special taxing district created by Chapter 373, F.S., is charged with the duty to prevent harm to the water resources of the District, and to administer and enforce Chapter 373, F.S., and the rules promulgated thereunder.

2. The District is specifically authorized to administer and enforce the permitting programs in Sections 373.413 and 373.416, F.S. The District has implemented these statutes through Chapter 40C-4, F.A.C.

3. Respondent owns, controls, or has access to approximately 70.83 acres of real property located in Sections 13, 14, 19, 20, and 24, Township 21 South, Ranges

31 and 32 East in Seminole County, Florida (the "Property") where the improvements to County Road ("CR") 419 occurred.

4. On November 8, 2000, the District issued Permit No. 4-117-22268-2 (the "Phase I Permit") to Respondent authorizing the widening of County Road 419 west of Lake Eva Drive to Waverlee Woods Boulevard from a two-lane road to a four-lane urban and rural highway with one wet-detention pond, and the expansion and conversion of an existing dry retention pond with filtration to a wet-detention pond. The system includes construction of a new two-lane bridge over the Econlockhatchee River<sup>1</sup> on the north side of the existing bridge and modification to an existing crossdrain. A true and correct copy of Permit No. 4-117-22268-2 is attached hereto as Exhibit "A" and incorporated by reference.

5. On December 12, 2000, the District issued Permit No. 4-117-22268-3 (the "Phase II Permit") to Respondent authorizing the widening of the portion of County Road 419 located approximately 3 miles east of the City of Oviedo and approximately ¼ mile north of the town of Chuluota from a two-lane road to a four-lane urban and rural highway with construction of an associated stormsewer collection system and one wet-detention pond. A true and correct copy of Permit No. 4-117-22268-3 is attached hereto as Exhibit "B" and incorporated by reference.

6. Condition 1 of both Permit No. 4-117-22268-2 and Permit No. 4-117-22268-3 states:

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<sup>1</sup> The Econlockhatchee River is a designated "Outstanding Florida Water" body.

All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.

7. Condition 4 of both Permit No. 4-117-22268-2 and Permit No. 4-117-22268-

3 states:

Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violation of state water quality standards. All practices must be in accordance with the guidelines and specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

8. Condition 5 of both Permit No. 4-117-22268-2 and Permit No. 4-117-22268-

3 states:

Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than

7 days after the construction activity in that portion of the site has temporarily or permanently ceased.

9. Condition 22 of both Permit No. 4-117-22268-2 and Permit No. 4-117-

22268-3 states:

*All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.*

10. On June 25, June 27, July 18, August 8, August 14, and September 3, 2002, District staff inspected the Property at the Econlockhatchee River bridge construction area. Respondent had failed to install effective erosion and sediment controls and stabilization measures along portions of the project boundary resulting in sedimentation into the adjacent wetlands, within a Riparian Habitat Protection Zone (RHPZ), east and west of the Econlockhatchee River. Turbid water was present within the ditch adjacent to CR 419, which could directly discharge to the RHPZ wetland. Respondent was also storing rubble in the RHPZ wetland. District staff advised Respondent's agent during each visit at the project site to install effective erosion and sediment controls and stabilization measures, take action to prevent discharge of turbid water into the RHPZ wetland, and remove the rubble from the wetland to bring the project into compliance with the Phase I Permit.

**11.** On September 17, 2002, District staff met with Respondent to discuss the violations of the Phase I Permit and the corrective actions necessary to be conducted to bring the project into compliance. Respondent submitted to the District a narrative of the

corrective actions to be conducted, including the removal of sediment and rubble within the wetland and the submittal of a weekly Stormwater Pollution Prevention Plan and Construction Inspection Report.

12. On September 18 and September 25, 2002, District staff inspected the Property at the bridge construction area. By September 25, 2002, Respondent had implemented adequate erosion and sediment controls and stabilization measures throughout the bridge construction area, had removed the sediment and rubble within the wetland adjacent to the northeast bridge construction area, and restored the areas to preconstruction grade

13. On January 14, 2003, District staff inspected the Property located within the Phase II Permit. Respondent had failed to install effective erosion and sediment controls and stabilization measures throughout the Property, resulting in sedimentation of adjacent off-site wetland areas. District staff notified Respondent's agent by telephone of the violations of the Phase II Permit and corrective actions that must be taken.

14. On February 10, 2003, District staff inspected the Phase II Property with Respondent and its agent. Respondent had implemented adequate erosion and sediment controls and stabilization measures along some portions of the Property. However, Respondent had failed to provide adequate erosion and sediment controls and stabilization measures throughout the entire Property resulting in sedimentation of adjacent off-site wetlands. Respondent also failed to protect wetland areas from dewatering at the stormpond designated as SMA25. Respondent deposited more than

eighteen inches of sediment within some of the off-site wetlands adjacent to SMA25.

### **CONCLUSIONS OF LAW**

15. The District has jurisdiction over Respondent, the subject property and project site, and the construction activities thereon. Sections 373.069(2)(c), 373.413 and 373.416, F.S.

16. Respondent's failure to implement all activities as set forth in the plans, specifications and performance criteria as approved by the permits violated Condition 1 of Permit No. 4-117-22268-2 and Permit No. 4-117-22268-3, which are violations of Chapter 373, F.S. Section 373.430(1)(b), F.S.

17. Respondent's failure to implement and maintain all erosion and sediment control measures required to retain sediment on-site, prevent violations of state water quality standards, and correct any erosion that causes adverse impacts to the water resources violated Condition 4 of Permit No. 4-117-22268-2 and Permit No. 4-117-22268-3, which are violations of Chapter 373, F.S. Section 373.430(1)(b), F.S.

18. Respondent's failure to initiate stabilization measures for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased violated Condition 5 of Permit No. 4-117-22268-2 and Permit No. 4-117-22268-3, which are violations of Chapter 373, F.S. Section 373.430(1)(b), F.S.

19. Respondent's failure to protect all wetland areas or water bodies that are outside the specific limits of construction authorized by this permit from erosion,

siltation, scouring or excess turbidity, and dewatering violated Condition 22 of Permit No. 4-117-22268-2 and Permit No. 4-117-22268-3, which are violations of Chapter 373, F.S. Section 373.430(1) (b), F.S. \*

20. The District is authorized to commence a cause of action in circuit court and seek a civil penalty in an amount not exceeding Ten Thousand Dollars (\$10,000.00) per offense per day for violations of Chapter 373, F.S., and Chapter 40C-4, F.A.C. Section 373.129(5), F.S.

21. The District is authorized to recover investigative costs and reasonable attorneys' fees expended in the enforcement of its programs and those delegated to it. Section 373.129(6), F.S.

**PROPOSED ORDER AND CORRECTIVE ACTION**

22. For violation of Chapter 373, F.S. and Chapter 40C-4, F.A.C., Respondent agrees to pay a settlement penalty of Forty-One Thousand Six Hundred and 00/100 dollars (\$41,600.00) due to the violations of Chapter 373 F.S., and Chapter 40C-4, F.A.C. Respondent also agrees to reimburse the District for investigative costs and attorneys' fees incurred by the District in resolving this matter in the amount of Five Hundred Fifty-One and 91/100 dollars (\$551.91). Respondent shall deliver to the District a cashier's check or money order in the total amount of Forty-Two Thousand One Hundred Fifty-One and 91/100 (\$42,151.91), payable to the St. Johns River Water Management District within ten (10) days of rendition of this Consent Order. Any sums

unpaid within the time frame provided herein shall bear interest at the rate of 1.5 percent per month until paid.

23. Within five (5) days of rendition of this Consent Order, Respondent shall provide adequate erosion and sediment controls and stabilization measures throughout the Phase I Permit and Phase II Permit Property to protect off-site wetlands.

24. Within fifteen (15) days of rendition of this Consent Order, Respondent shall submit to the District an erosion and sediment control plan, including the locations and types of control devices to be utilized, to prevent further unauthorized impacts on the Phase I Permit and Phase II Permit Property.

25. Within fifteen (15) days of rendition of this Consent Order, Respondent shall submit to the District an initial status report detailing all erosion and sediment controls, any problems encountered, and all actions implemented to correct any problems encountered. Thereafter, Respondent shall submit a similar status report to the District weekly throughout the duration of construction of the Phase I and Phase II Permits.

26. Within thirty (30) days of rendition of this Consent Order, Respondent shall restore all unauthorized impacted areas by removing all sediment caused by dewatering and erosion. Removal of sediments shall be considered complete upon restoration of the site to pre-construction grade and written approval of District staff.

27. Upon completion of sediment removal and within thirty (30) days of the acceptance by the District of the removal activity and proposed planting layout,

Respondent shall install 20 loblolly bay (*Gordonia lasianthus*) trees, each of which must be a minimum of three (3) gallons in size and 4 to 6 feet in height in the sediment removal area. These trees shall be installed in copses that are randomly distributed in the areas of sapling mortality.

**28.** Respondent shall allow all authorized District representatives access to the subject property at reasonable times for the purpose of determining compliance with the terms of this Consent Order.

**29.** The District agrees, for and in consideration of the complete and timely performance of the obligations set forth in this Consent Order, that said performance is dispositive of the violations contained herein, and the District waives its rights to seek judicial imposition of damages or civil or criminal penalties for the violations contained herein.

**30.** By executing this Consent Order, Respondent waives its rights to seek judicial review or an administrative hearing on the terms of this Consent Order and waives its rights, including defenses, under Section 120.69, F.S.

**31.** The District expressly reserves the right to initiate appropriate legal action to prohibit any future violations of Chapter 373, F.S., or the rules of the District.

**32.** Performance of the terms of the Consent Order does not relieve Respondent of any need to comply with applicable federal, state, or local laws, rules or ordinances. In addition, the rights of substantially affected persons as defined in

Chapter 120, F.S., who are not parties to this Order, are not abrogated by matters agreed to herein.

33. This Consent Order will become effective after rendition (filing) by the District Clerk, which will occur after its execution by Respondent and the Executive Director on behalf of the District.

34. Upon rendition, this Consent Order will constitute a final administrative order of the District, and the terms and conditions set forth may be enforced in a court of competent jurisdiction pursuant to Sections 373.129, and 120.69, F.S.

35. No modifications of the terms of this Consent Order shall be effective until reduced to writing and executed by Respondent and the District.

\_\_\_\_\_  
DATE

RESPONDENT  
SEMINOLE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
By: \_\_\_\_\_  
Daryl G. McLain  
Its: CHAIRMAN

\_\_\_\_\_  
DATE

ST. JOHNS RIVER WATER  
MANAGEMENT DISTRICT

\_\_\_\_\_  
KIRBY B. GREEN, III  
EXECUTIVE DIRECTOR

RENDERED this \_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
SANDRA BERTRAM  
DISTRICT CLERK



**WATER  
MANAGEMENT  
DISTRICT**

Henry Dean, Executive Director  
Assistant Executive Director

**POST OFFICE BOX 1429** **PALATKA, FLORIDA 32178-1429**  
 TELEPHONE 904-329-4500 SUNCOM 904-860-4500  
 TDD 904-329-4450 TDD SUNCOM 860-4450

FAX (Executive) 329-4125 (Legal) 329-4495 (Permitting) 329-4315 (Administration/Finance) 329-4500

**SERVICE CENTERS**

618 E. South Street Orlando, Florida 32801 407-897-4300 TDD 407-897-5960	7775 Baymeadows Way Suite 102 Jacksonville, Florida 32256 904-730-6270 TDD 904-448-7900	<b>PERMITTING:</b> 305 East Drive Melbourne, Florida 32904 407-984-4940 TDD 407-722-5368	<b>OPERATIONS:</b> 2133 N. Wickham Road Melbourne, Florida 32935-8110 407-752-3100 TDD 407-752-3102
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November 8, 2000

Seminole County Public Works  
520 W Lake Mary Blvd Ste 200  
Sanford, FL 32773

**SUBJECT: Permit Number 4-117-22268-2  
CR 419 (Phase I) Improvements**

Dear Sir/Madam:

Enclosed is your permit as authorized by the Governing Board of the St. Johns River Water Management District on November 8, 2000.

This permit is a legal document and should be kept with your other important documents. The attached MSSW/Stormwater As-Built Certification Form should be filled in and returned to the Palatka office within thirty days after the work is completed. By so doing, you will enable us to schedule a prompt inspection of the permitted activity.

In addition to the MSSW/Stormwater As-Built Certification Form, your permit also contains conditions which require submittal of additional information. All information submitted as compliance to permit conditions must be submitted to the Palatka office address.

Permit issuance does not relieve you from the responsibility of obtaining permits from any federal, state and/or local agencies asserting concurrent jurisdiction for this work.

In the event you sell your property, the permit can be transferred to the new owner, if we are notified by you within thirty days of the sale. Please assist us in this matter so as to maintain a valid permit for the new property owner.

Thank you for your cooperation and if this office can be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

*Gloria Lewis*  
Gloria Lewis, Director  
Permit Data Services Division

Enclosures: Permit with EN Form(s), if applicable

cc: District Permit File

**Consultant: Professional Engineering Consultants Inc**  
200 E Robinson St Ste 1560  
Orlando, FL 32801

William Keff, CHAIRMAN  
MELBOURNE BEACH

Ometrias D. Long, VICE CHAIRMAN

Jeff K. Jennings, SECRETARY

Duane Ottenstroer, TREASURER  
SWITZERLAND

Dan Roach  
FERNANDINA BEACH

William  
MA

**EXHIBIT "A"**

Clay Albright  
EAST LAKE WEIR

Reid Hughes  
DAYTONA BEACH

PERMIT NO. 4-117-22268-2DATE ISSUED: November 8, 2000PROJECT NAME: CR 419 (Phase I) Improvements**A PERMIT AUTHORIZING:**

construction of a surface water management system for the widening of County Road 419 from just west of Lake Eva Drive to Waverlee Woods Boulevard from a two-lane road to a four-lane urban and rural highway with, one wet-detention pond, and one expansion and converting of the existing dry retention pond with filtration to a wet-detention pond. The system includes construction of a two-lane new bridge over the Little Econlockhatchee River on the north side of the existing bridge, and modification to the existing cross drain.

**LOCATION:**Section(s): 13, 14, 24  
19, 20Township(s): 21S  
21SRange(s): 31E  
32E

Seminole County

**ISSUED TO:**Seminole County Public Works  
520 W Lake Mary Blvd Ste 200  
Sanford, FL 32773

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to permittee any property rights nor any rights of privileges other than those specified therein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes:

**PERMIT IS CONDITIONED UPON:**

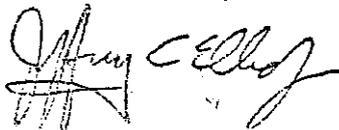
See conditions on attached "Exhibit A", dated November 8, 2000

**AUTHORIZED BY:** St. Johns River Water Management District

Department of Water Resources

Governing Board

By: \_\_\_\_\_


(Director)  
Jeff Elledge

By: \_\_\_\_\_


(Assistant Secretary)  
Henry Dean

"EXHIBIT A"  
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 4-117-22268-2  
SEMINOLE COUNTY PUBLIC WORKS  
DATED NOVEMBER 8, 2000

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.
4. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
5. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.
6. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No.

40C-4.900(3) indicating the actual start date and the expected completion date.

7. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an Annual Status Report Form No. 50C-4.900(4). These forms shall be submitted during June of each year.
8. For those systems which will be operated or maintained by an entity which will require an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of the Applicant's Handbook will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or the Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.
9. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted *use of site infrastructure located within the area served by the portion or phase of the system*. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to local government or other responsible entity.
10. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing *As Built Certification Form 40C-1.181(13) or 40C-1.181(14)* supplied with this permit. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction

(conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be verified on the as-built drawings:

1. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
  2. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
  3. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine state-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
  4. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
  5. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
  6. Existing water elevation(s) and the date determined; and Elevation and location of benchmark(s) for the survey.
11. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of general condition 9 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such an approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the responsible approved operation

and maintenance entity, if different from the permittee. Until the permit is transferred pursuant to section 7.1 of the Applicant's Handbook: Management and Storage of Surface Waters, the permittee shall be liable for compliance with the terms of the permit.

12. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior implementation so that a determination can be made whether a permit modification is required.
13. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and chapter 40C-4 or chapter 40C-40, F.A.C.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.
16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of section 40C-1.612, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.
17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.

19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
20. This permit for construction will expire five years from the date of issuance.
21. At a minimum, all retention and detention storage areas must be excavated to rough grade prior to building construction or placement of impervious surface within the area to be served by those facilities. To prevent reduction in storage volume and percolation rates, all accumulated sediment must be removed from the storage area prior to final grading and stabilization.
22. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.
23. Prior to construction, the permittee must clearly designate the limits of construction on-site. The permittee must advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
24. The operation and Maintenance entity shall submit inspection reports to the District two years after the operation phase permit becomes effective and every two years thereafter on District Form EN-46. The inspection form must be signed and sealed by an appropriate registered professional.
25. The proposed surface water management system must be constructed as per the plans received by the District on September 21, 1998, January 27, 2000, and February 28, 2000, and sheets 3, 20A, 168 received on September 6, 2000.
26. The removal of Old Chuluota Road (C.R. 419 Mitigation Site) must be conducted in accordance with the plans signed and sealed by Kevin S. Perko, P.E., on January 24, 2000 (as received by the District on July 14, 2000).
27. Within the C.R. 419 Mitigation Site, as approved by the District, non-indigenous vegetation, cattails (*Typha* spp.), primrose-willow (*Ludwigia peruviana*), and other species specifically identified by District staff as a nuisance or as contrary to the purpose of the mitigation area must be controlled by hand clearing or other methods approved by the District so that they constitute no more than 10 percent of the areal cover in each stratum.
28. The permittee must furnish the District with an annual monitoring report on District form EN #55 in the month of May, for the time period stated in this permit's success criteria condition.

29. Successful natural establishment of the C.R. 419 Mitigation Site will have occurred when:
  - A. At least 500 appropriate indigenous tree saplings per acre have sprouted throughout the monitoring period and are showing signs of normal growth, based upon standard growth parameters such as height and base diameter, or canopy circumference; and
  - B. Hydrologic conditions generally conform to those of the surrounding preserved wetlands; and
  - C. Non-indigenous vegetation, cattails (*Typha* spp.), primrose-willow (*Ludwigia peruviana*), and other species specifically identified by District staff as a nuisance constitutes no more than ten percent (10%) cover in each stratum; and
  - D. The restored wetland is a wetland pursuant to chapter 62-340, F.A.C.; and
  - E. The above criteria have been achieved by the end of a 5-year period following completion of the topographic restoration; and
  - F. At least eighty percent (80%) cover by appropriate indigenous, wetland, herbaceous vegetation has been obtained in the ground cover stratum by the end of a 3-year period following completion of the topographic restoration, if at the end of this 3-year period success of this subparagraph is not achieved, the permittee must undertake a remediation program approved by District staff.
30. If successful establishment has not occurred as stated above, the permittee must apply to the District for a permit modification no later than thirty (30) days following the termination of the monitoring period. The application must include a narrative describing the type and causes of failure and contain a complete set of plans for the redesign and/or replacement planting of the wetland mitigation area so that the success criteria will be achieved. Within thirty (30) days of District approval and issuance of the permit modification, the permittee must implement the redesign and/or replacement planting. Following completion of such work, success criteria as stated above or modified by subsequent permit must again be achieved. In addition, the monitoring required by these conditions must be conducted.
31. All silt fences must be removed from the C.R. 419 Mitigation Site within thirty (30) days of installation of the final stabilization measures, which were installed in accordance with general condition 5, above.
32. Within thirty (30) days of installation of the final stabilization measures within the C.R. 419 Mitigation Site, the permittee must submit two copies of an as-built survey of the C.R. 419 Mitigation Site, certified by a registered surveyor, showing the dimensions, grades, ground elevations, and water surface elevations.
33. During the Econ River Bridge construction activities, the permittee must monitor turbidity at the following locations:

- upstream of the northernmost turbidity control measure (background); and,
- immediately downstream of the southernmost turbidity control measure.

The background sample must not be taken within any visible plume. Samples must be collected two times daily with a morning and afternoon sample at least four hours apart.

Before removal of the turbidity control measures, the turbidity levels within the area surrounded by the turbidity control measures must be sampled to ensure no release of turbid water once the turbidity control measures are removed. The turbidity control measures may not be removed until the sample data indicates levels which do not exceed the State Water Quality Standards. This sample data must be included within the weekly turbidity data report.

34. If at any time the downstream turbidity level exceeds the State Water Quality Standards, then all measures required to reduce the turbidity including stopping all road crossing construction activities, must be taken. The road crossing construction activities must not resume until the turbidity has returned to acceptable levels. Any such violation must be reported immediately to the District's Orlando Office.
35. All turbidity data must be submitted to the District's Orlando Office weekly. The data must contain the following information:
  - permit number;
  - date and time of sampling and analysis;
  - statement describing collection, handling, storage, and analysis methods;
  - a map indicating the location of the samples taken;
  - depth of sample;
  - antecedent weather conditions; and,
  - flow direction.
36. During the removal of the fill at Old Chuluota Road, the permittee must monitor turbidity at the following locations:
  - upstream of the northernmost turbidity control measure (background); and,

- immediately downstream of the southernmost turbidity control measure.

The background sample must not be taken within any visible plume. Samples must be collected two times daily with a morning and afternoon sample at least four hours apart.

Before removal of the turbidity control measures, the turbidity levels within the area surrounded by the turbidity control measures must be sampled to ensure no release of turbid water once the turbidity control measures are removed. The turbidity control measures may not be removed until the sample data indicates levels which do not exceed the State Water Quality Standards. This sample data must be included within the weekly turbidity data report.

37. If at any time the downstream turbidity level exceeds the State Water Quality Standards, then all measures required to reduce the turbidity including stopping all road crossing construction activities, must be taken. The road crossing construction activities must not resume until the turbidity has returned to acceptable levels. Any such violation must be reported immediately to the District's Orlando Office.
38. All turbidity data must be submitted to the District's Orlando Office weekly. The data must contain the following information:
  - permit number;
  - date and time of sampling and analysis;
  - statement describing collection, handling, storage, and analysis methods;
  - a map indicating the location of the samples taken;
  - depth of sample;
  - antecedent weather conditions; and,
  - flow direction.



POST OFFICE BOX 1429 PALATKA, FLORIDA 32178-1429  
 TELEPHONE 329-4500 SUNCOM 904-860-4500  
 TDD 904-329-4450 TDD SUNCOM 860-4450  
 FAX (Executive) 329-4125 (Legal) 329-4485 (Permitting) 329-4315 (Administration/Finance) 329-4508

**SERVICE CENTERS**

618 E. South Street Orlando, Florida 32801 407-897-4300 TDD 407-897-5960	7775 Baymeadows Way Suite 102 Jacksonville, Florida 32256 904-730-6270 TDD 904-448-7900	<b>PERMITTING:</b> 305 East Drive Melbourne, Florida 32904 407-984-4940 TDD 407-722-5368	<b>OPERATIONS:</b> 2133 N. Wickham Road Melbourne, Florida 32935-8109 407-752-3100 TDD 407-752-3102
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December 12, 2000

Seminole County Public Works  
 520 W Lake Mary Blvd Ste 200  
 Sanford, FL 32773

SUBJECT: Permit Number 4-117-22268-3  
 CR 419 (Phase II) Improvements

Dear Sir/Madam:

Enclosed is your permit as authorized by the Governing Board of the St. Johns River Water Management District on December 12, 2000.

This permit is a legal document and should be kept with your other important documents. The attached MSSW/Stormwater As-Built Certification Form should be filled in and returned to the Palatka office within thirty days after the work is completed. By so doing, you will enable us to schedule a prompt inspection of the permitted activity.

In addition to the MSSW/Stormwater As-Built Certification Form, your permit also contains conditions which require submittal of additional information. All information submitted as compliance to permit conditions must be submitted to the Palatka office address.

Permit issuance does not relieve you from the responsibility of obtaining permits from any federal, state and/or local agencies asserting concurrent jurisdiction for this work.

In the event you sell your property, the permit can be transferred to the new owner, if we are notified by you within thirty days of the sale. Please assist us in this matter so as to maintain a valid permit for the new property owner.

Thank you for your cooperation and if this office can be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

Gloria Lewis, Director  
 Permit Data Services Division

Enclosures: Permit with EN Form(s), if applicable

cc: District Permit File

**Consultant:** Professional Engineering Consultants Inc  
**Consultant:** Nottingham Environmental Associates, Inc.

William Kerr, CHAIRMAN  
 MELBOURNE BEACH

Ometrias D. Long, VICE CHAIRMAN  
 APOPKA

Jeff K. Jennings, SECRETARY  
 MAITLAND

Duane Ottenstroer, TREASURER  
 SWITZERLAND

Dan Roach  
 FERNANCINA BEACH

William M. Segal  
 MAITLAND

Otis Mason  
 ST. AUGUSTINE

Clay Albright  
 EAST LAKE WEIR

Reid Hughes  
 DAYTONA BEACH

EXHIBIT "B"

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT  
Post Office Box 1429  
Palatka, Florida 32178-1429

PERMIT NO. 4-117-22268-3

DATE ISSUED: December 12, 2000

PROJECT NAME: CR 419 (Phase II) Improvements

**A PERMIT AUTHORIZING:**

construction and operation of a Surface Water Management System. The system consists of widening County Road 419 from just west of Lake Eva Drive to east of the Chuluota Bypass from two-lane to four-lane urban and rural highway. The system includes a stormwater conveyance system and one wet detention pond.

**LOCATION:**

Section(s): 19, 20  
Seminole County

Township(s): 21S

Range(s): 32E

**ISSUED TO:**

Seminole County Public Works  
520 W Lake Mary Blvd Ste 200  
Sanford, FL 32773

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to permittee any property rights nor any rights of privileges other than those specified therein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes:

**PERMIT IS CONDITIONED UPON:**

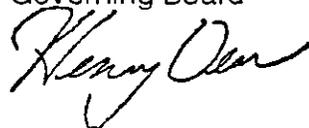
See conditions on attached "Exhibit A", dated December 12, 2000

**AUTHORIZED BY:** St. Johns River Water Management District

Department of Water Resources

Governing Board

By:   
\_\_\_\_\_  
(Director)  
Jeff Elledge

By:   
\_\_\_\_\_  
(Assistant Secretary)  
Henry Dean

"EXHIBIT A"  
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 4-117-22268-3  
SEMINOLE COUNTY PUBLIC WORKS  
DATED DECEMBER 12, 2000

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.
4. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
5. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.
6. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No.

40C-4.900(3) indicating the actual start date and the expected completion date.

7. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an Annual Status Report Form No. 50C-4.900(4). These forms shall be submitted during June of each year.
8. For those systems which will be operated or maintained by an entity which will require an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of the Applicant's Handbook will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or the Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the *appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.*
9. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by the portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to local government or other responsible entity.
10. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing As Built Certification Form 40C-1.181(13) or 40C-1.181(14) supplied with this permit. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction

(conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be verified on the as-built drawings:

1. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
  2. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
  3. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine state-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
  4. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
  5. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
  6. Existing water elevation(s) and the date determined; and Elevation and location of benchmark(s) for the survey.
11. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of general condition 9 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such an approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the responsible approved operation

and maintenance entity, if different from the permittee. Until the permit is transferred pursuant to section 7.1 of the Applicant's Handbook: Management and Storage of Surface Waters, the permittee shall be liable for compliance with the terms of the permit.

12. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior implementation so that a determination can be made whether a permit modification is required.
13. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and chapter 40C-4 or chapter 40C-40, F.A.C.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.

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16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of section 40C-1.612, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.
17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.

19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
20. This permit for construction will expire five years from the date of issuance.
21. At a minimum, all retention and detention storage areas must be excavated to rough grade prior to building construction or placement of impervious surface within the area to be served by those facilities. To prevent reduction in storage volume and percolation rates, all accumulated sediment must be removed from the storage area prior to final grading and stabilization.
22. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.
23. Prior to construction, the permittee must clearly designate the limits of construction on-site. The permittee must advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
24. The operation and Maintenance entity shall submit inspection reports to the District two years after the operation phase permit becomes effective and every two years thereafter on District Form EN-46. The inspection form must be signed and sealed by an appropriate registered professional.
25. The proposed Surface Water Management System must be constructed and operated as per the plans received by the District on May 31, 2000, and as amended by the plans received by the District on October 03, 2000
26. The removal of Old Chuluota Road (C.R. 419 Mitigation Site - Phase II) must be conducted in accordance with the plans signed and sealed by Kevin S. Perko, P.E., on September 29, 2000 (as received by the District on October 3, 2000).
27. Within Phase II of the C.R. 419 Mitigation Site, as approved by the District, non-indigenous vegetation, cattails (*Typha* spp.), primrose-willow (*Ludwigia peruviana*), and other species specifically identified by District staff as a nuisance or as contrary to the purpose of the mitigation area must be controlled by hand clearing or other methods approved by the District so that they constitute no more than 10 percent of the areal cover in each stratum.
28. The permittee must furnish the District with an annual monitoring report on District form EN #55 in the month of May. for the time period stated in this

29. Successful natural establishment of Phase II of the C.R. 419 Mitigation Site will have occurred when:
- A. At least 500 appropriate indigenous tree saplings per acre have sprouted throughout the monitoring period and are showing signs of normal growth, based upon standard growth parameters such as height and base diameter, or canopy, circumference; and
  - B. Hydrologic conditions generally conform to those of the surrounding preserved wetlands; and
  - C. Non-indigenous vegetation, cattails (*Typha* spp.), primrose-willow (*Ludwigia peruviana*), and other species specifically identified by District staff as a nuisance constitutes no more than ten percent (10%) cover in each stratum; and
  - D. The restored wetland is a wetland pursuant to chapter 62-340, F.A.C.; and
  - E. The above criteria have been achieved by the end of a 5-year period following completion of the topographic restoration; and
  - F. At least eighty percent (80%) cover by appropriate indigenous, wetland, herbaceous vegetation has been obtained in the ground cover stratum by the end of a 3-year period following completion of the topographic restoration, if at the end of this 3-year period success of this subparagraph is not achieved, the permittee must undertake a remediation program approved by District staff.
30. If successful establishment has not occurred as stated above, the permittee must apply to the District for a permit modification no later than thirty (30) days following the termination of the monitoring period. The application must include a narrative describing the type and causes of failure and contain a complete set of plans for the redesign and/or replacement planting of the wetland mitigation area so that the success criteria will be achieved. Within thirty (30) days of District approval and issuance of the permit modification, the permittee must implement the redesign and/or replacement planting. Following completion of such work, success criteria as stated above or modified by subsequent permit must again be achieved. In addition, the monitoring required by these conditions must be conducted.
31. All silt fences must be removed from Phase II of the C.R. 419 Mitigation Site within thirty (30) days of installation of the final stabilization measures, which were installed in accordance with general condition 5, above.
32. Within thirty (30) days of installation of the final stabilization measures within Phase II of the C.R. 419 Mitigation Site, the permittee must submit two copies of an as-built survey of Phase II of the C.R. 419 Mitigation Site, certified by a registered surveyor, showing the dimensions, grades, ground elevations, and water surface elevations.